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To: Christopher Calfee Fax #: 916-653-8102

From: Art Henriques, Director
SAN BENITO COUNTY PLANNING & BUILDING

Date: 8/21/09 # of Pages w/ Cover 3

Reference: CEQA Guidelines

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COUNTY OF SAN BENITO
PLANNING & BUILDING INSPECTION SERVICES

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TO: Christopher Calfee, Special Counsel
ATTN: CEQA Guidelines
California Resources Agency
1017 L Street, #2223
Sacramento, CA 95814

FROM: Art Henriques, Director of Planning & Building, San Benito County

CC: Susan Thompson, San Benito County CAO

DATE: August 20, 2009

SUBJECT: Comments on Proposed Amendments to 14 Sections of the CEQA Guidelines

We have reviewed the referenced document and have the following comments:

1. Section 15064 (h)(3) – The new plans mentioned in the section tend to be produced by regional agencies or other regulatory agencies. Is there any indication as to when or if these plans will provide standards for greenhouse gas (GHG) emission reduction? If so, then will they become available prior to these updates being adopted and thus being enforced?
2. Section 15064.4 (a-b) – We would like to point out that potential programs to be used to measure increased emissions do not take into effect “rural” counties/cities or “rural” operations/projects. It should also be considered that neighboring cities and counties often contribute to GHG emission increases. Is there going to be a section in CEQA to consider this?
3. Section 15125 (d) – We appreciate the incorporation of regional blueprints and other studies as a way to provide additional evidence in CEQA documents.
4. Section 15130 (b)(1-B) – This addition does not include the regional blueprints as it did in a previous section. This should be included here as well.
5. Section 15183.5 – This added section should provide more assistance and guidance on how lead agencies can develop baseline mitigation for projects to tier off of.
6. Appendix G, VII Greenhouse Gas Emissions – Question “a” will be difficult to answer without a set of State standards at a minimum. When there is no baseline standard, projects could then be subject to unknown scrutiny. Question “b” can also be problematic if no applicable plans or policies are established prior to this being adopted and in effect.

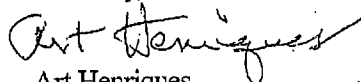
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AUG 24 2009

RESOURCES AGENCY OF CALIFORNIA

Thank you for the opportunity to review the document. Please do not hesitate to call, if you have any questions. The Board of Supervisors will be reviewing this matter on August 25 and may have additional comments.

Sincerely,



Art Henriques

San Benito County

Planning & Building Inspection Services